

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DALLAS BROGDEN,
Plaintiff,
v.
HCL AMERICA, INC.,
Defendant.

Case No. [5:17-cv-03412-EJD](#)

ORDER TO SHOW CAUSE

On August 2, 2017, two documents were purportedly filed by attorney Karl Siganporia, using his ECF account within the action captioned above: (1) a document entitled “H1B Injunction Motion,” and (2) a document labeled as a supporting affidavit, but includes an unsigned statement and a scanned printout of an online news article. Dkt. Nos. 11, 12. The former document was signed by Siganporia.

In an order filed this same date, the court has explained why August 2nd documents are improper. To that end: (1) they are unintelligible and have no apparent connection to the claims asserted in this action, (2) the relief requested does not qualify for presentation as an administrative motion under Civil Local Rule 7-11, and (3) the documents do not comply with the content and format requirements of Civil Local Rule 7-2. Dkt. No. 13.

Federal Rule of Civil Procedure 11(b) states that “[b]y presenting to the court a pleading, written motion, or other paper - whether by signing, filing, submitting, or later advocating it - an attorney . . . certifies that to the best of the person’s knowledge, information, and belief, formed after an inquiry reasonable under the circumstances . . . it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation”

1 and “the factual contentions have evidentiary support or, if specifically so identified, will likely
2 have evidentiary support after a reasonable opportunity for further investigation or discovery.”

3 Civil Local Rule 11-4 provides:

4 Every member of the bar of this Court and any attorney permitted to
5 practice in this Court under Civil L.R. 11 must:

6 (1) Be familiar and comply with the standards of professional
conduct required of members of the State Bar of California;

7 (2) Comply with the Local Rules of this Court;

8 (3) Maintain respect due to courts of justice and judicial officers;

9 (4) Practice with the honesty, care, and decorum required for the
10 fair and efficient administration of justice;

11 (5) Discharge his or her obligations to his or her client and the
Court; and

12 (6) Assist those in need of counsel when requested by the Court.

13 Furthermore, Civil Local Rule 5-1(c)(4) states:

14 An ECF user may authorize another person to electronically file a
15 document using the user ID and password of the ECF user.
16 Nevertheless, the ECF user retains full responsibility for any
document so filed.

17 Here, by filing two documents that plainly do not comply with the rules governing such
18 motions for relief and are, in any event, of questionable legal and factual significance to the issues
19 presented in this action, the court is concerned that Sigantoria has violated Federal Rule of Civil
20 Procedure 11(b) and Civil Local Rule 11-4, or any one of them.


21 Accordingly, attorney Karl Sigantoria is ordered to personally appear before the
22 Honorable Edward J. Davila at **11:00 a.m. on August 10, 2017**, Courtroom 4, 5th Floor, United
23 States District Court, 280 S. First Street, San Jose, California, 95113, to show cause why the court
24 should not impose on him any and all appropriate sanctions, including monetary sanctions under
25 Federal Rule of Civil Procedure 11(c) and/or referral pursuant to Civil Local Rule 11-6.

26 Sigantoria may file a response to this order demonstrating good cause why sanctions
27 should not be imposed on or before **August 4, 2017**.

1 Siganporia is advised that his personal appearance at the hearing is required - telephonic
2 appearance will not be permitted and a request for such appearance should not be submitted.

3
4 **IT IS SO ORDERED.**

5 Dated: August 2, 2017



EDWARD J. DAVILA
United States District Judge